

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 4  
FOR THE REGULAR MEETING OF  
MONDAY, MARCH 29, 2004 AT 2:00 P.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- \* ITEM-S405: Reimbursement for Fire Recovery Efforts in the Scripps-Miramar Ranch Maintenance Assessment District.

(Scripps Miramar Ranch Community Area. District-5.)

**CITY MANAGER’S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-1000)

Authorizing the City Auditor and Comptroller to appropriate and expend \$242,000 from the Environmental Growth Fund One-Third fund balance, Fund No. 105051, into Department 9321, Organization 2051 – Emergency Open Space Maintenance;

Authorizing the City Auditor and Comptroller to reimburse expenditures incurred by the Scripps-Miramar Ranch Maintenance Assessment District Fund No. 70211 with Environmental Growth Fund One-Third fund balance, Fund No. 105051, Department No. 9321, Organization No. 2051, for expenditures associated with removal of trees damaged in the Cedar Fire in City-owned open space areas located in Scripps-Miramar Ranch;

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-S405: (Continued)

Authorizing the City Auditor and Comptroller to accept reimbursement funds from FEMA and the State Office of Emergency Services (OES) for an amount not to exceed \$242,000 and to deposit the funds into the Environmental Growth Fund One-Third fund balance, Fund No. 105051.

**CITY MANAGER SUPPORTING INFORMATION:**

The City, through the Scripps-Miramar Ranch Maintenance Assessment District (MAD), has conducted fire cleanup services on the City-owned parcels within the eucalyptus grove along Pomerado Road. The initial cost of the tree felling and removal operation is approximately \$242,000. The initial effort, which lasted from October 2003 through February 2004, provided for removal of trees felled immediately after the fire by the California Department of Forestry, and subsequent felling and removal of additional damaged trees. Costs for these activities were funded by the Scripps-Miramar Ranch MAD with the expectation that the district would be reimbursed by the Federal Emergency Management Administration (FEMA) and the State Office of Emergency Services (OES). The last phase has not yet been initiated pending a decision by FEMA and the State OES to approve additional tree felling and removal as a reimbursable item.

Currently the City is pursuing reimbursement from FEMA and the State OES for the costs associated with the fire cleanup on public parcels in Scripps-Miramar Ranch, as well as Tierrasanta and Mission Trails. For expenses that are deemed eligible for reimbursement FEMA will reimburse 75% of the total cost. The remaining 25% in expenses is the responsibility of the State and local government. The current formula for the remaining 25% includes the State's share of 18.75% and the City's of 6.25%. Some work performed in the area may not meet all the eligibility criteria of FEMA and the State OES, and these costs would have to be absorbed by the Environmental Growth Fund One-Third.

The reimbursement process is not expected to be timely enough to avoid an impact to the Scripps-Miramar Ranch Maintenance Assessment District's regular scope of services during Fiscal Year 2004. Without an infusion of funds by April 2004, the Scripps-Miramar Ranch MAD will have to severely reduce normal landscape maintenance and other services. Therefore, to allow the MAD to continue operations, and to reimburse the Scripps-Miramar Ranch Maintenance Assessment District for full costs of the fire recovery effort, another funding source is required.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-S405: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

This action would reimburse expenditures already incurred by the Scripps-Miramar Ranch MAD with funding from the Environmental Growth Fund One-Third in the amount of \$242,000. If FEMA and the State OES approve the City's reimbursement request, funds would be deposited into the Environmental Growth Fund One-Third. The Environmental Growth Fund One-Third would have to absorb whatever difference exists between actual costs and FEMA and State OES reimbursements.

**FISCAL IMPACT:**

\$242,000 is available in the Environmental Growth Fund One-Third fund balance to cover expenses incurred by the Scripps-Miramar Ranch Maintenance Assessment District to conduct fire cleanup on City property. Reimbursement for the Scripps-Miramar Ranch fire recovery is anticipated from the Federal Emergency Management Agency (FEMA) and the State Office of Emergency Services (OES). Reimbursements for these costs would be deposited into the Environmental Growth Fund One-Third upon receipt of funding.

Herring/Oppenheim/AF

Aud. Cert. 2400923.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-S406: Appointment of Councilmember Zucchet to the City's Chargers Negotiation Team.

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-1009 Cor. Copy)

Designating Councilmember Michael Zucchet as a member of the City Negotiating Team to represent the City in negotiations with the Chargers Football Company (Chargers) related to the Agreement between the City and Chargers for the Use and Occupancy of Qualcomm Stadium.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- \* ITEM-S407: Agreement with GeoSyntec Consultants for Hazard Mitigation Plans Related to the 2003 San Diego Fires.

(Scripps Ranch and Tierrasanta; and the Otay, San Vicente, and El Capitan Reservoirs Community Areas. Districts-5 and 7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-1007)

Authorizing the City Manager to execute an agreement with GeoSyntec Consultants, for services related to the 2003 San Diego Fires for an amount not to exceed \$464,900;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$464,900 from the Water Fund Unallocated Reserve, Fund 41500, Org. 5005, Program 765005, Object Account 4903, to the Watershed Program, Fund 41500, Org. 5023, Job Order 30454, Object Account 4222, for the purpose of consultant services related to the 2003 San Diego Fires;

Authorizing the expenditure of an amount not to exceed \$464,900, from the Water Fund Unallocated Reserve, Fund 41500, Org. 5005, Program 765005, Object Account 4903, to the Watershed Program, Fund 41500, Org. 5023, Job Order 30454, Object Account 4222, for the purpose of providing funds for the above referenced Project;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

Due to the urgency of addressing post-fire sediment and erosion control problems stemming from the Cedar and Otay fires in the communities of Tierrasanta and Scripps Ranch, and the Otay, San Vicente, and El Capitan reservoirs, the City needed to move rapidly in order to preclude potential problems from exacerbating the damage the fire had already caused.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-S407: (Continued)

**CITY MANAGER SUPPORTING INFORMATION:** (Continued)

As this was a formally declared Local Emergency and the protection from slope failure due to significant potential erosion related to the safety of citizens and property; City staff acted under the authority of the City Manager to immediately work with a post-fire erosion control consultant and contractors to perform the work.

This Council action funds the consultant services to assess the fire damage and assist in determining the City's plan of action to best protect the public's health and safety, and minimize further damage to property from the impending winter rains. The consultant completed an assessment of Tierrasanta and Scripps Ranch and recommended an erosion mitigation plans for each which have been implemented. All property was physically inspected for the following potential or existing hazards: landslides; mud, debris, and sediment flows; flooding; rock falls and retaining structure problems resulting from the fire. These hazards were then correlated to five potential public impacts to determine a final work priority rating of high, medium, and low. The five public impacts are: public health and safety; severity of public and private property damage; infrastructure damage or related concerns; transportation damage; and damage to the receiving waters (i. e., creeks, rivers, lakes, reservoirs, lagoons, bays, and ocean).

Based on the consultant's assessment, the City implemented the mitigation plans at most of the high and medium priority sites by installing erosion and sediment control devices. Due to a concern of military ordinance in some of the areas in Tierrasanta, some of the identified work was not completed. These areas are being monitored and if clearance is given in the future, it will be determined if the work needs to be implemented. At this time, the low priority areas will be allowed to naturally restore themselves and will be continuously monitored for potential future work.

The Mitigation Plan for the reservoirs includes measures to protect water infrastructure, public safety, and real property. In addition, the Water Department will be constructing turbidity curtains in the San Vicente and Otay Reservoirs to protect water quality and will be increasing its water quality monitoring at the three reservoirs, when possible, during rain events. This agreement also includes additional services, if needed, during the 2005 winter season.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

\* ITEM-S407: (Continued)

**FISCAL IMPACT:**

The non-reservoir consultant work is \$190,000 and an additional \$40,000 for as-needed services to be funded by the General Fund (100), Engineering and Capital Projects Department (542); and the reservoir consultant work is \$219,900 and an additional \$15,000 for as-needed services to be funded by Water Fund (41500), Water Department (760). The total cost of the consultant services agreement including additional services is \$464,900. Funding is available for this purpose. Departments are currently in the process of filing for reimbursement from FEMA for these costs.

Loveland/Belock/HR

Aud. Cert. 2400924

ADOPTION AGENDA, DISCUSSION, HEARINGS

SPECIAL HEARING:

ITEM-S408: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: Approximately 1.25 acres located in the City of Santee on the east side of Highway 67 at the north terminus of Graves Avenue (APN 384-120-38)

City Negotiator: Real Estate Assets Director

Negotiating Party: Padre Dam Municipal Water District

Under Negotiation: Terms of Potential Disposition of Property

Prior to City Council discussion in Closed Session and in compliance with the Brown Act (California Government Code Section 54956.8), this item is listed on the docket **only** for public testimony.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the City Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on March 30, 2004.

**NOTE:** Members of the public wishing to address the City Council on this item should speak "in favor" or "in opposition" to the subject.



PUBLIC NOTICE:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-S409: **Notice** of Pending Final Map Approval – Renaissance at North Park.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled "Renaissance at North Park" (T.M. No. 9859), a copy of which is available for public viewing at the office of the San Diego City Clerk. Said project is located northwesterly of El Cajon Boulevard and 30th Street in the Greater North Park Community Plan Area in Council District 3. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.